IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
(1) CRIMINAL WRIT PETITION NO.2056 OF 2004
WITH
(2) CRIMINAL WRIT PETITION NO.2060 OF 2004
WITH
(3) CRIMINAL WRIT PETITION NO.2061 OF 2004

Vishal Information
Technology Ltd. and Ors. ..Petitioners

Vs.

Ador Technopak Ltd.& Anr. ..Respondents

...
Mr.Girish Kulkarni Advocate for Petitioners
Mr.Yogesh Adhiya for Respondent No.1.
Mr.D.P.Adsule,A.P.P. for the State
...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 8, 2005

P.C.

1. Heard the learned advocate for the petitioners, learned counsel for the respondent no.1 and learned A.P.P. for State.

2. The petitioners are praying for quashing of process which has been issued against them under Section 138 r.w. 141 of Negotiable Instruments Act. The said process was issued by the learned Metropolitan Magistrate, 33rd Court, Ballard Pier, Mumbai, in C.C.No. 1260/S/2004, C.C.No. 1191/S/2004 and C.C.No. 1081/S/2004.

3. For the reasons recorded in my order dated 8th June, 2005 in Cri.Application No. 645 of 2005 in my view, it is clear that the petitioners have an efficacious remedy of preferring revision before the Sessions Court against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the petitioners prefer a revision before the concerned Sessions Court against the order of Magistrate issuing process.

4. Liberty is granted to the petitioners to prefer the necessary revision before the concerned Sessions Court. Stay granted by this Court is extended for a period of four weeks from today.

5. On the necessary revision being preferred by the petitioners before the concerned Sessions Court, the concerned Sessions Court shall dispose of the matter on merits after hearing the necessary parties. All contentions of the parties are left open.

6. Writ Petitions are disposed of.

7. Office to issue authenticated copy of this order to the parties.

[V.K.TAHILRAMANI,J]